

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION**

LESLIE JONES,

Plaintiff,

v.

CENTURION, et al.,

Defendants.

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NO. 1:22-cv-00024

JUDGE CAMPBELL

MAGISTRATE JUDGE NEWBERN

ORDER

Pending before the Court is Magistrate Judge Newbern's Report and Recommendation (Doc. No. 39) that the motions to dismiss filed by Defendants Dr. Mark Fowler, TCIX Health Care Administrator Kevin Rea, and Dr. Cortez Tucker (Doc. Nos. 15, 18, 20) be denied without prejudice and that the Court order these defendants to file notices within twenty-one days informing the Court that they agree to waive service of process or, in the alternative, advising the Court where and when the Marshals Service may serve them. Defendants Fowler, Rea, and Tucker filed objections to the Report and Recommendation. (Doc. Nos. 41, 42). For the reasons discussed below, the Report and Recommendation will be adopted and approved.

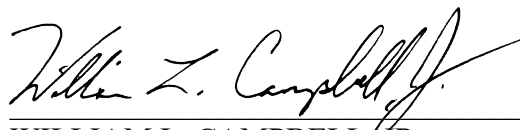
Under 28 U.S.C. § 636(b)(1) and Local Rule 72.02, a district court reviews *de novo* any portion of a report and recommendation to which a specific objection is made. *United States v. Curtis*, 237 F.3d 598, 603 (6th Cir. 2001). General or conclusory objections are insufficient. *See Zimmerman v. Cason*, 354 F. Appx. 228, 230 (6th Cir. 2009). Thus, "only those specific objections to the magistrate's report made to the district court will be preserved for appellate review." *Id.* (quoting *Smith v. Detroit Fed'n of Teachers*, 829 F.2d 1370, 1373 (6th Cir. 1987)). In conducting

the review, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C).

Here, Defendants’ objections simply re-state facts and arguments from their underlying motions to dismiss, (*Compare* Doc. No. 42 *with* Doc. Nos. 24, 34), and fail to identify any specific errors by Judge Newbern in making her determination. Accordingly, Defendants’ objections do not provide a basis to reject or modify the Report and Recommendation. *See Howard v. Sec. of Health & Human Servs.*, 932 F.2d 505, 509 (6th Cir. 1991) (objections which do not identify an error are meritless); *VanDiver v. Martin*, 304 F. Supp. 2d 934, 937 (E.D. Mich. 2004) (“An ‘objection’ that ... simply summarizes what has been presented before, is not an ‘objection’ as that term is used in this context.”).

Having reviewed the Report and Recommendation and considered Defendants’ objections, the Court concludes that the Report and Recommendation (Doc. No. 39) should be adopted and approved. Accordingly, the motions to dismiss filed by Defendants Fowler, Rea, and Tucker (Doc. Nos. 15, 18, 20) are **DENIED** without prejudice. Defendants Fowler, Rea, and Tucker are hereby **ORDERED** to file notices within twenty-one days informing the Court that they agree to waive service of process or, in the alternative, advising the Court where and when the Marshals Service may serve them. If these defendants elect to be served at their residential addresses, they shall provide notice of those addresses under seal.

It is so **ORDERED**.


WILLIAM L. CAMPBELL, JR.
UNITED STATES DISTRICT JUDGE